

Court No. - 23

Case :- APPLICATION U/S 482 No. - 2598 of 2023

Applicant :- Siddiaqe Akbar

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home U.P.
Civil Secrett. Lko.

Counsel for Applicant :- Prashansa Singh

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot,J.

Shri Amit Kumar Singh, learned counsel holding brief of Ms. Prashansa Singh, learned counsel for applicant submits that the applicant is a law abiding citizen, who had cooperated with the investigation and had joined the trial proceedings. He was regularly appearing in the trial court proceedings. However, his wife was stricken with 'Cancer'. The applicant had to leave the station to attend her medical needs. There was a communication gap between the applicant and his counsels. The office of the counsel for the applicant did not inform him about the dates before the trial court. The applicant was absent on the appointed dates before the trial court due to lack of knowledge and for bonafide reasons.

In wake of the aforesaid, the nonailable warrant order dated 23.11.2022 issued by the learned Additional Civil Judge (Junior Division), Raebareli in Case No. 4357/2010 (State Vs. Nisar Ahmad and others) arising out of Case Crime No. 71/1996, under Section 11 of Animal Cruelty Act & Section 3/5/5A/8 Prevention of Cow Slaughter Act pertaining to Police Station-

Shivratanganj, District- Amethi is liable to be set aside and is set aside.

The applicant is directed to appear before the learned trial court on the next date fixed and all subsequent dates, unless personal presence is exempted by the learned trial court.

The instant application is **allowed**.

Order Date :- 21.3.2023

Gurpreet Singh